

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:14cv41**

**PNC BANK, NATIONAL
ASSOCIATION,**

Plaintiff,

v.

DOUGLAS V. BOWES.,

Defendants.

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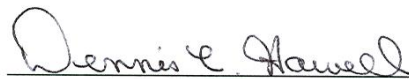
ORDER

Pending before the Court is the Motion to Dismiss for Improper Venue [# 6]. Plaintiff brought this action against Defendant to recover the outstanding balance due on a promissory note. In response to the Complaint, Defendant filed a Motion to Dismiss for Improper Venue pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure.

The Local Rules of this Court require that a party file a motion and a separate legal brief in support of the motion. LCvR 7.1. Here, Defendant filed only a motion and failed to file a supporting legal brief. Accordingly, the Court **DENIES without prejudice** the Motion to Dismiss [# 6] for failure to comply with the Local Rules. The Court notes, however, that had the motion been properly presented to this Court, the Court would have issued a Memorandum and

Recommendation recommending that the District Court deny the motion for the grounds set forth by Plaintiff in their Response in Opposition to the Motion to Dismiss.

Signed: February 10, 2015

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Dennis L. Howell
United States Magistrate Judge

